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Acting Federal Public Defender
2 VARELL L. FULLER
Assistant Federal Public Defender
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4 Telephone: (408) 291-7753
5 Counsel for Defendant RUELAS
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FILED

JUL 13 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 MICHAEL RUELAS and
LORENZO ISRAEL GARCIA,

15 Defendant.
16

Nos. CR 11- 00558 - LHK

CR 11- 00559 - LHK

CR 11- 00560 - LHK

CR 11- 00706 - LHK

JOINT STIPULATION AND REQUEST TO
CONTINUE SENTENCING HEARING
DATE TO OCTOBER 17, 2012; AND
[PROPOSED] ORDER

17 **STIPULATION**

18 Defendant Michael Ruelas, by and through Assistant Federal Public Defender Varell L.
19 Fuller; Lorenzo Israel Garcia, by and through Counsel Jack Gordon; and the United States, by
20 and through Assistant United States Attorney Thomas M. O'Connell, hereby stipulate and agree,
21 subject to the Court's approval, that the sentencing hearing presently set for Wednesday, July 18,
22 2012, at 9:00 a.m., be continued to Wednesday, October 17, 2012, at 9:00 a.m.

23 Defendants Michael Ruelas and Lorenzo Israel Garcia have pled guilty and a sentencing
24 hearing is presently set for July 18, 2012, as to both defendants. The parties respectfully ask that
25 the sentencing hearing date be continued. Both defense counsel respectfully request additional
26

1 time to investigate and effectively prepare arguments regarding the Court's sentencing
2 determination. The parties, having conferred about their respective availability for the setting of
3 a new sentencing hearing date, respectfully request that the sentencing hearing date be continued
4 to October 17, 2012. United States Probation Officer Benjamin Flores, who has been assigned to
5 conduct the presentence investigation, has been consulted about the requested continuance and
6 has no objection. The parties further agree that the deadlines by which the United States
7 Probation Office must disclose the draft and final pre-sentence reports shall be adjusted
8 according to the new October 17, 2012, sentencing date.

9
10 Dated: July 12, 2012

/s/
VARELL L. FULLER
Assistant Federal Public Defender
Counsel for Michael Ruelas

11
12 Dates: July 12, 2012

/s/
JACK GORDON
Counsel for Lorenzo Israel Garcia

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14
15 Dated July 12, 2012

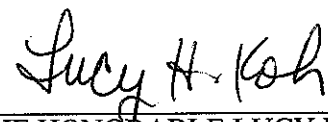
/s/
DANIEL R. KALEBA for
THOMAS M. O'CONNELL
Assistant United States Attorney

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~~PROPOSED~~ ORDER

19 GOOD CAUSE APPEARING, and by stipulation of the parties, it is hereby ordered that
20 the sentencing hearing date set for Wednesday, July 18, 2012, at 9:00 a.m. is continued to
21 Wednesday, October 16, 2012, at 10:00 a.m., and the dates by which United States Probation
22 must disclose the draft and final pre-sentence reports shall be adjusted accordingly.

23
24 Dated: 7/13/12



THE HONORABLE LUCY H. KOH
United States District Court Judge

25
26 Stipulation and ~~Proposed~~ Order Continuing
Hearing